



Entered on Docket  
August 25, 2011

*Mike K. Nakagawa*  
Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

**BESO LLC,**

Debtor.

Case No. BK-S-11-10202-MKN  
Chapter 11

**INTERIM ORDER GRANTING  
DEBTOR'S MOTION FOR APPROVAL  
OF MANAGEMENT AGREEMENT  
NUNC PRO TUNC; REQUEST FOR  
INTERIM RELIEF RE FINANCING**

Date: August 16, 2011  
Time: 10:00 a.m.

THIS MATTER having come before the Court upon the motion of Beso LLC (the "Debtor" or "Beso"), for approval Management Agreement with CHLN, Inc. and for obtaining credit not in the ordinary course of business (the "Motion") seeking, among other relief, an interim order allowing post-petition financing. The Court conducted a hearing at which were present counsel for the Debtor (Lenard Schwartzter), Anthony Vicidomine (Gregory Garman), Mali and Ronen Nachum (Brian Shapiro), the Nevada Department of Taxation (Alycia K. Hansen), The Crystals at City Center, LLC (Nile Leatham), and CHLN, Inc. (James Greene and Adam Friedman) as shown in the Court's record. The Court considered the briefs and declarations on

1 file, the arguments of counsel and the representations of counsel. The Court having entered a  
 2 Memorandum Decision of Debtor's Motion for Approval of Management Agreement Nunc Pro  
 3 Tunc; Request for Interim Relief re Financing [Docket No. 194], it is

4 **ORDERED** the Management Agreement, as amended by the representations of counsel  
 5 (that is, there will be no management fee and the Management Agreement may not be terminated  
 6 by the Manager on less than 3 business days notice), is approved on an interim basis until the final  
 7 hearing by this Court; and it is

8 **ORDERED** that CHLN, Inc. (the "Manager") may (a) take over the management duties of  
 9 operating the Beso Restaurant *nunc pro tunc* to August 8, 2011 and (b) fund the operation of the  
 10 Beso Restaurant beginning upon entry of this order. The terms of the loan by the Manager are as  
 11 follows:

12	Amount:	Not specified. Manager is authorized to use its own funds, as may be
13		necessary, in addition to the assets and property of the Debtor, to fund any
14		deficiencies in operating expenses for the Business. Management Agreement ¶7;
15	Limits:	\$300,000 (until further order of this Court);
16	Use of Proceeds:	Operating expenses for the Beso Restaurant;
17	Interest Rate:	None;
18	Fees:	None;
19	Priority	Administrative priority under Bankruptcy Code §503(b)(1);
20	Security:	None;
21	Termination:	On not less than three (3) business days notice;
22	Carve-outs:	None;
23	Surcharge:	None;
24	Modification of Stay:	None;
25	Adequate Protection:	None;
26	Indemnity:	None;
27	Reporting:	Debtor will file with the Court bi-weekly reports of the funds advanced,
28		if any, by CHLN under the terms of the Management Agreement;



1 and it is further

2 **ORDERED** that any sale of the Debtor's business assets as referenced in Section 6 of the  
3 Management Agreement, must be approved by the Court at a hearing on at least 30 days notice to  
4 all parties in interest and any objecting party or other party who wishes to acquire the same assets  
5 must submit a proposed offer to the Debtor and to Crystals no later than five business days before  
6 the sale approval hearing along with proof of financing available to complete the purchase; and it  
7 is

8 **ORDERED** that this Interim Order shall take effect and be fully enforceable immediately  
9 upon entry, notwithstanding the provisions of Bankruptcy Rule 6004(h), which, to the extent  
10 applicable, are waived and shall not apply to this Interim Order; and it is

11 **ORDERED** that the Final Hearing to consider entry of a Final Order and final approval of  
12 the Management Agreement and related post-petition financing is scheduled for September 26,  
13 2011 at 1:30 p.m. at the United States Bankruptcy Court for the District of Nevada. The Debtor  
14 shall serve, by United States mail, first-class postage prepaid, notice of the entry of this Interim  
15 Order, together with copies of this the Motion on all parties in interest. Any party in interest  
16 objecting to the entry of the proposed Final Order shall file written objections with the Clerk of the  
17 Bankruptcy Court by no later than September 12, 2011, which objections shall be served so that  
18 the same are received on or before such date by: (i) counsel for the Debtor; and (ii) the Office of  
19 the United States Trustee.

20 **IT IS SO ORDERED.**

21 Prepared by:

22 /s/ Lenard E. Schwartzer  
23 Lenard E. Schwartzer, Esq.  
24 Schwartzer & McPherson Law Firm  
25 2850 South Jones Blvd., Suite 1  
26 Las Vegas NV 89146  
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/s/ Gregory E. Garman

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/s/ Adam Friedman

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*Attorneys for CHLN, Inc.*

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated above.

/s/ Lenard E. Schwartz

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25 /s/ Lenard E. Schwartz

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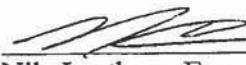
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25 /s/ Lenard E. Schwartzer

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